

REMARKS

The Office Action dated November 14, 2008, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

STATUS OF THE CLAIMS

Claims 1-3, 5-14, 16-40, and 42-52 are currently pending in the application, of which claims 1, 38, 47, and 50-52 are independent claims. Claims 1, 10, 20, and 52 have been amended to more particularly point out and distinctly claim the subject matter of the present invention. No new matter has been added. Claim 53 has been cancelled without prejudice or disclaimer. Claims 1-3, 5-14, 16-40, and 42-52 are respectfully submitted for consideration.

CLAIM REJECTIONS UNDER 35 U.S.C. 103

Claims 1-3, 5-14, 16-40, and 42-53 were rejected under 35 U.S.C. 103(a) as being unpatentable over 3GPP TS 33.107 V6.0.0 (2003-09) (“3GPP107”) in view of 3GPP TS 29.207 V5.5.1 (2003-10) (“3GPP29.207”). The Office Action acknowledged that 3GPP107 fails to disclose or suggest all of the features of any of the presently pending claims, and cited 3GPP29.207 to remedy the deficiencies of 3GPP107 with respect to the rejected claims. Applicants respectfully traverse this rejection.

Independent claim 1, upon which claims 2-3, 5-14, and 16-37 depend, is directed to a method including monitoring, by a processor, signalling information related to at

least one session involving at least a first network and a second network of different types. One of the first and second networks is an internet protocol based network and another of the first and second networks is a general packet radio service network or universal mobile telecommunication system based network. The method also includes monitoring, by the processor, session content related to the same at least one session. The signalling information is provided in at least one of the first and second networks and the session content is provided in another of the first and second networks. The method further includes delivering, by a transmitter, an indication to start interception between the first and second networks. One of a network element and a function of the first network sends lawful interception information directly to one of a support node of the second network, an administration function, and a delivery function. A mapping function is provided which translates target indications of the first network to corresponding target indications of the second network associated with a same monitored user.

Independent claim 38, upon which claims 39-40 and 42-46 depend, is directed to an apparatus including a processor configured to monitor signalling information related to at least one session involving at least a first network and a second network of different types. One of the first and second networks is an internet protocol based network and another of the first and second networks is a general packet radio service network or universal mobile telecommunication system based network. The processor is also configured to monitor session content related to the same at least one session. The signalling information is provided in one of the first and second networks. The session content is provided in another of the first and second networks. The apparatus also

includes a transmitter configured to deliver an indication to start interception between the first and second networks. One of a network element and a function of the first network sends lawful interception information directly to one of a support node of the second network, an administration function, and a delivery function. A mapping function is provided which translates target indications of the first network to corresponding target indications of the second network associated with a same monitored user.

Independent claim 47, upon which claims 48-49 depend, is directed to an apparatus including a transmitter configured to deliver an indication to start interception between first and second networks of different types. The apparatus is configured for the interception of at least one session involving the first network and the second network. One of the first and second networks is an internet protocol based network and another of the first and second networks is a general packet radio service network or universal mobile telecommunication system based network. The apparatus is configured to monitor signaling information provided in one of the first and second networks of the at least one session and session content related to the same at least one session provided in another of the first and second networks. The apparatus is also configured to deliver an indication to start interception between the first and second networks. One of a network element and a function of the first network is configured to send lawful interception information directly to one of a support node of the second network, an administration function, and a delivery function. A mapping function is provided and is configured to translate target indications of the first network to corresponding target indications of the second network associated with a same monitored user.

Independent claim 50 is directed to an apparatus including monitoring means for monitoring signalling information, provided in one of a first and second networks of different types, of at least one session, and session content related to the at least one session provided in another of the first and second networks. One of the first and second networks is an internet protocol based network and another of the first and second networks is a general packet radio service network or universal mobile telecommunication system based network. The apparatus also includes delivery means for delivering an indication to start an interception between the first and second networks. One of a network element and a function of the first network is configured to send lawful interception information directly to one of a support node of the second network, an administration function, and a delivery function. A mapping function is provided which is configured to translate target indications of the first network to corresponding target indications of the second network associated with a same monitored user.

Independent claim 51 is directed to a computer readable medium including computer executable instructions to perform a method. The method includes monitoring signalling information, provided in at least one of first and second networks of different types, of at least one session, and session content related to the same at least one session provided in another of the first and second networks. One of the first and second networks is an internet protocol based network and another of the first and second networks is a general packet radio service network or universal mobile telecommunication system based network. An indication to start interception is delivered between the first and second networks. One of a network element and a function of the

first network sends lawful interception information directly to one of a support node of the second network, an administration function, and a delivery function. A mapping function is provided which translates target indications of the first network to corresponding target indications of the second network associated with a same monitored user.

Independent claim 52 is directed to an apparatus including a processor configured to monitor signalling information, provided in one of a first and second networks, of the at least one session, and session content related to the same at least one session provided in another of the first and second networks. One of the first and second networks is an internet protocol based network and another of the first and second networks is a general packet radio service network or universal mobile telecommunication system based network. An indication is delivered to start interception between the first and second networks. One of a network element and a function of the first network sends lawful interception information directly to one of a support node of the second network, an administration function, and a delivery function. A mapping function is provided which translates target indications of the first network to corresponding target indications of the second network associated with a same monitored user.

Applicants respectfully submit that the combination of 3GPP107 and 3GPP29.207 fails to disclose or suggest all of the features of any of the presently pending claims.

3GPP107 generally relates to Third Generation (3G) security by providing a lawful interception architecture and related functions (*see* 3GPP107 at pages 7-8). In 3GPP107, each of Figures 1a-1c illustrates different intercept configurations, having

mediation functions (ADMF), delivery functions 2 and 3, and a law enforcement monitoring facility (LEMF). Specifically, Figure 1a refers to a circuit-switched intercept configuration, having a media gateway (MGW) and mobile switching centre (MSC) server. Similarly, Figure 1b illustrates a packet-switched intercept configuration, having a GPRS support node (GSN).

3GPP29.207 generally relates to policy control over a Go interface, the interface between a gateway GSN and a Policy Decision Function (PDF). For example, 3GPP29.207 relates to a protocol to be used between the PDF and the GGSN over the Go interface, signaling interactions to be performed between the PDF and the GGSN over the Go interface. 3GPP29.207 also relates to data to be exchanged between the PDF and the GGSN over the Go interface (*see* 3GPP29.207 at page 6, item 1).

Applicants respectfully submit that the combination of 3GPP107 and 3GPP29.207 does not disclose or suggest all of the features of any of the presently pending claims. Specifically, the combination of 3GPP107 and 3GPP29.207 fails to disclose or suggest that “a mapping function is provided which translates target indications of the first network to corresponding target indications of the second network associated with a same monitored user,” as recited in independent claim 1 and similarly recited in independent claims 38, 47, and 50-52.

The Office Action took the position that the LEMF of 3GPP107 corresponds to an IP Multimedia Subsystem (IMS), and that the GSN of 3GPP107 corresponds to a GPRS support **network** (*see* Office Action at page 4). The Office Action also stated, “there exist[s] a mapping function between LEMF network and its monitoring networks to

ensure that it is able to capture the data associated with a particularly monitored user” (see Office Action at page 4, emphasis added).

However, 3GPP107 does not disclose or suggest that the LEMF corresponds to an IMS, and that the GSN corresponds to an GPRS support network. Instead, in the portion cited by the Office Action, 3GPP107 refers to the LEMF as only the Law Enforcement Monitoring Facility, and to the GSN as the GPRS Support **Node**, rather than a GPRS support **network** (see 3GPP107 at page 8, item 3.2).

In addition, 3GPP107 fails to disclose or suggest a mapping function between the LEMF and the GSN which translates target indications of a first network to corresponding target indications of a second network associated with a same monitored user. As stated in the present application, “[t]he task of the new Mapping Function is to **translate the IMS domain target criterion ... to the corresponding GPRS domain target criterion ... associated with the same monitored user (and vice versa)**” (see Specification at page 4, paragraph [0052], emphasis added). Thus, the functions of 3GPP107 cannot correspond to the mapping function of the claimed invention because the functions of 3GPP107 do not translate IMS domain target criterion to corresponding GPRS domain target criterion. For example, the ADMF of 3GPP107 appears to simply **send target identities**, without translating them (see 3GPP107 at page 12).

Therefore, the combination of 3GPP107 and 3GPP29.207 fails to disclose or suggest that “a mapping function is provided which translates target indications of the first network to corresponding target indications of the second network associated with a

same monitored user,” as recited in independent claim 1 and similarly recited in independent claims 38, 47, and 50-52.

The above distinctions were presented in the Response filed August 11, 2008. The Office Action’s Response to Arguments in the present Office Action did not address the arguments set forth above (which were presented in the Response filed August 11, 2008). 37 C.F.R. § 1.104(b) explicitly requires that “[t]he examiner’s action will be complete as to all matters”. “In order to provide a complete application file history and to enhance the clarity of the prosecution history record, an examiner **must** provide clear explanations of all actions taken by the examiner during prosecution of an application” (MPEP § 707.07(f)). “Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, **take note of the applicant’s argument and answer the substance of it**” (*Id.*, emphases in the preceding quotations added). Since the Office Action has not taken note of and answered the substance of the arguments set forth above (and previously presented in the response filed August 11, 2008), the Office Action is not complete as to all matters. If those arguments can be answered, such answer should be made in a non-final Office Action, since the present Office Action was not a proper Office Action under the standard set forth in 37 CFR 1.104(b). If those arguments cannot be answered, it is respectfully submitted that the appropriate course of action is to allow the claims and permit the application to pass to issuance.

For at least the reasons discussed above, Applicants respectfully submit that the combination of 3GPP107 and 3GPP29.207 does not disclose or suggest all of the

elements 1, 38, 47, and 50-52. Accordingly, Applicants respectfully request that the rejection of claims 1, 38, 47, and 50-52 be withdrawn.

Claims 2-3, 5-14, 16-37, 39-40, and 42-46, and 48-49 depend from, and further limit, claims 1, 38, and 47, respectively. Thus, each of claims 2-3, 5-14, 16-37, 39-40, and 42-46, and 48-49 recite subject matter that is neither disclosed nor suggested in the combination of 3GPP107 and 3GPP29.207. It is, therefore, respectfully requested that the rejections of claims 2-3, 5-14, 16-37, 39-40, and 42-46, and 48-49 be withdrawn.

CONCLUSION

For the reasons explained above, it is respectfully submitted that each of claims 1-3, 5-14, 16-40, and 42-52 recite subject matter that is neither disclosed nor suggested in the cited art. It is, therefore, respectfully requested that all of claims 1-3, 5-14, 16-40, and 42-52 be allowed, and that this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, Applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



Peter Flanagan
Registration No. 58,178

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Vienna, Virginia 22182-6212
Telephone: 703-720-7800
Fax: 703-720-7802

PCF:LHT:kh